

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:22-cv-00098-MR**

<b>DAVID OPPENHEIMER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>FOSTER McDONALD, JENNIFER</b>	)	
<b>BLAKE, ED HILLIS, and</b>	)	
<b>HIGHLANDS COVE REALTY, LLC,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

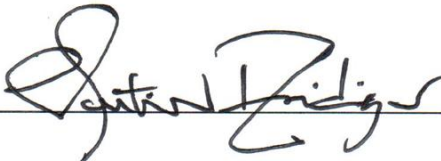
**THIS MATTER** is before the Court *sua sponte*.

The Plaintiff initiated this action on May 19, 2022. [Doc. 1]. On July 19, 2022, the Defendants Foster McDonald, Jennifer Blake, and Ed Hillis filed an Answer to the Plaintiff's Complaint. [Doc. 9]. On September 26, 2022, the Court entered an Order directing the Plaintiff to show cause for the failure to effect service on the Defendant Highlands Cove Realty, LLC. [Doc. 10]. On October 3, 2022, the Plaintiff filed an Affidavit of Service, indicating that Highlands Cove Realty, LLC was served on October 1, 2022. [Doc. 13]. Since that date, however, the Plaintiff appears to have made no effort to prosecute the action against the Defendant Highlands Cove Realty, LLC.

Accordingly, **IT IS, THEREFORE, ORDERED** that within fourteen (14) days of the entry of this Order, the Plaintiff shall file an appropriate motion or otherwise take further action with respect to the Defendant Highlands Cove Realty, LLC. The Plaintiff is advised that failure to take further action against this Defendant will result in the dismissal of that Defendant from this action.

**IT IS SO ORDERED.**

Signed: January 3, 2023

  
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Martin Reidinger  
Chief United States District Judge

